

CHAPTER 29**(SB 122)**

AN ACT relating to assisted outpatient mental health treatment.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 202A.0815 is amended to read as follows:

No person shall be court-ordered to assisted outpatient mental health treatment unless the person:

- (1) Has been involuntarily hospitalized pursuant to KRS 202A.051~~-(44)~~ at least two (2) times in the past *twenty-four (24)*~~twelve (12)~~ months;
- (2) Is diagnosed with a serious mental illness;
- (3) Is unlikely to adequately adhere to outpatient treatment on a voluntary basis based on a qualified mental health professional's:
 - (a) Clinical observation;
 - (b) Review of treatment history, including the person's prior history of repeated treatment nonadherence; and
 - (c) Identification of specific characteristics of the person's clinical condition described as anosognosia, or failure to recognize his or her diagnosis of serious mental illness; and
- (4) Is in need of court-ordered assisted outpatient treatment as the least restrictive alternative mode of treatment presently available and appropriate.

Signed by Governor March 24, 2020.